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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,987	02/04/2002	Franz Schuegerl	AT 010005	4241
24737	7590	06/19/2006	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			DUNN, MISHAWN N	
			ART UNIT	PAPER NUMBER
			2621	
DATE MAILED: 06/19/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/066,987	Applicant(s) SCHUEGERL, FRANZ	
	Examiner Mishawn N. Dunn	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-11 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Specification

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (f) BACKGROUND OF THE INVENTION.
 - Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Belknap (US Pat. No. 6,804,295) in view of Timmermans (US Pat. No. 5,543,925).

3. Consider claim 1. Belknap teaches a device for receiving audio data and selected associated video data of a television broadcast in a frame mode, the device comprising receiving means for receiving audio data and associated video data (col. 3, lines 28-31), in which the received video data comprise, inter alia, intraframe-encoded information of frames of the television broadcast (col. 4, lines 46-47) and time-stamp information, which time-stamp information characterizes the instants of occurrence of the frames in the television broadcast (col. 4, lines 60-63), and selection means for selecting the video data comprising the frame information and associated time-stamp information from the received video data (col. 5, lines 3-8), and selection means for selecting at least one and maximally N of the frames selected during a partial broadcast period, which partial broadcast period corresponds to a part of the overall broadcast period of the television broadcast, (col. 5, line 66 – col. 6, line 4).

Belknap does not teach a recording means for recording the overall received audio data and the selected video data on a record carrier. However, Timmermans

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discloses recording the overall received audio data and the selected video data on a record carrier (col. 15, lines 12-28).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use, to record the audio and video data on a record carrier, in order to allow the user to later playback the data.

4. Consider claim 6. Belknap teaches a recording device as claimed in claim 1, wherein the receiving means are adapted to receive audio data and video data encoded in accordance with the MPEG-2 standard, and wherein the frames are constituted by I frames of a Group of Pictures (col. 4, lines 46-47).

5. Consider claim 7. Belknap teaches all the claimed limitations as stated above, except a reproducing means for reproducing the audio and video data recorded on a record carrier.

However, Timmermans discloses a reproducing device for reproducing audio and video data (col. 6, lines 11-14; fig. 1b).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use, to reproduce the audio and video data recorded on a record carrier, in order to allow the user to locate and read out the selected data.

6. Claims 8 and 9 are rejected for the same reasons as discussed in the corresponding device claims above.

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Claims 2 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Belknap (US Pat. No. 6,804,295) in view of Timmermans (US Pat. No. 5,543,925) in further view of Maybury et al. (US Pat. No. 6,961,954).

7. Consider claims 2 and 10. Belknap teaches all the claimed limitations as stated above, except a recording device wherein black-frame detection means for detecting a black frame in the received video data characterizing a change of scenes in the television broadcast are provided, and wherein the selection means are adapted to select each selected frame which occurs after a black frame detected by the black-frame detection means.

However, Maybury et al. discloses a means for detecting a black frame in the received video data characterizing a change of scenes (col. 4, lines 4-8).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use, to use black frame detection, in order to select key frames.

Claims 3 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Belknap (US Pat. No. 6,804,295) in view of Timmermans (US Pat. No. 5,543,925) in further view of Vasudevan et al. (US Pat. No. 6,342,904).

8. Consider claims 3 and 11. Belknap teaches all the claimed limitations as stated above, except a recording device wherein frame comparison means are provided which are adapted to compare characteristic features of consecutive selected frames and, as a result of the comparison, to supply a change value, and wherein the selection means

are adapted to select a selected frame when the change value exceeds a change threshold value from the previously selected frame to this selected frame.

However, Vasudevan et al. discloses a means for comparing characteristic features of consecutive selected frames and, as a result of the comparison, to supply a change value (col. 7, lines 4-13).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use, to select frames when the change value exceeds a change threshold value from the previously selected frame to this selected frame, in order to prevent having redundant frames.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Belknap (US Pat. No. 6,804,295) in view of Timmermans (US Pat. No. 5,543,925) in further view of Fu et al. (US Pat. No. 6,882,793).

Belknap teaches all the claimed limitations as stated above, except a recording device wherein start-detection means are provided which are adapted to detect the start of each television broadcast received in the received video data, and wherein the selection means are adapted to select the first selected frame of each television broadcast.

However, Fu et al. discloses a means to detect the start of each television broadcast received in the received video data (col. 2, lines 1-6)

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use, to detect the start of each television broadcast received in the received video data, in order to select the first frame of the broadcast.

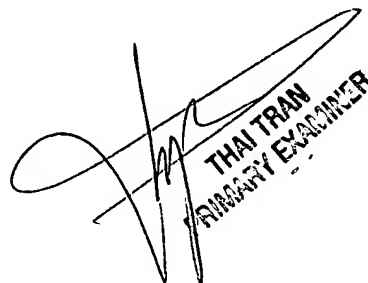
Allowable Subject Matter

9. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mishawn N. Dunn whose telephone number is 571-272-7635. The examiner can normally be reached on Monday - Friday 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

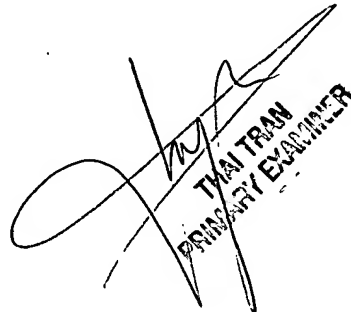


THAI TRAN
PRIMARY EXAMINER

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mishawn Dunn
May 31, 2006



THAI TRAN
PRIMARY EXAMINER